



Judge Berger

United States District Court
Robert C. Byrd US Courthouse
300 Virginia St E. Rm. 2900
Charleston, WV 25301

Theodore Miller

South Central Regional Jail
1001 Centre Way
Charleston, WV 25309

RE: United States vs Theodore Miller
Crim No: Z:24-Cr-20145

Motion to Dismiss in interest of Justice

In the interest of Justice Mr. Miller's indictment should be dismissed and Mr. Miller should be released. This is not a question of guilt or innocence, but in the interest of society as a whole and justice for the victims.

Since Interest of Justice Motions know no bounds from a legal standpoint, were designed for extraordinary circumstances, and are not directed at the sufficiency of the prosecution's proof because they do not bring into question guilt or innocence. This motion is perfect for this case and this defendant.

Mr. Miller is 35 years old, this is the first offense he has ever been indicted or accused of even, has a long track record of being a pillar of the communities he works in, and for the last year has been working on the framework to build transitional living facilities for the homeless through his 501c3 charity, Homeless Senior Foundation, where he had several Federal Grants pending ~~Be~~ for disbursement in West Virginia at the time of his arrest.

Regardless of what the prosecution says or has presented to the court. One thing is very clear, that Mr. Miller is very good at making money, and some money is given in exchange for a person's contribution to

Society. It shows that Mr. Miller has contributed a lot to society over the years, and is an important part of any community he works in.

All of the properties, cars, businesses, and assets Mr. Miller owned prior to the alleged offenses did not just appear out of thin air, and are not a result of the "Money Tree" he may or may not have had in his back yard. They come from starting and running several successful businesses, rebuilding property after property, and from employing or subcontracting countless individuals.

This is very easily proven from all of the properties and assets Mr. Miller had at the time of his arrest, that could not be seized, and caused a question of his eligibility for court appointed counsel.

If the Indictment is dismissed with prejudice - Mr. Miller will not go without punishment, as he also has a civil case against him United States Securities and Exchange Commission V. Theodore Miller, Bear Industries, and Bear Investments and Business Consultants Civil Action No. 2:24-CV-00479. Which he will plead guilty to as a condition of the dismissal.

That way the court can be confident that the victims will be made whole, and Mr. Miller will have to answer for his actions, but in a way that makes sense. As it will once again put Mr. Miller to work for them as well as others.

In addition Mr. Miller has already been punished suffering many months in jail and has lost countless assets he worked years to acquire from the payments not being made due to his inability to work while being incarcerated and the government locking his bank accounts.

True Justice for the victims of these failed investments is not knowing the person responsible is in prison. It is being paid back as quickly as possible with interest, and knowing the person responsible will never do it again, which he will not! Because he will never want to endure the hardships he has

experienced since the commencement of this case. Including but not limited to: Putting his family through all of this, the harsh reality of losing his freedom, losing a lot of his prized possessions that he worked his life to acquire, the financial hardships of those he cares about, the hardship of the investors, and the list goes on.

Conclusion

Mr. Miller is not a bad guy and ~~again~~ in general tries his best to make a positive difference with his work, but he did make a mistake ~~forgetting~~ getting these investors involved in these investments, which he feels very bad about, and he would like a real opportunity to make it right by going to work and repaying the money as fast as possible.

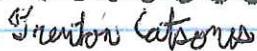
He is respectfully requesting the Court Give him that opportunity by Dismissing the Indictment on Crim No: 2:24-Cr-00143 and releasing the Defendant.

Sincerely,



Theodore Miller




Trenton B. Catsonis

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,**

Plaintiff,

v.

**THEODORE MILLER,
BEAR INDUSTRIES, LLC and
BEAR INVESTMENTS AND BUSINESS
CONSULTING, LLC,**

Defendants,

and

DEANNA DRUMM,

Relief Defendant.

Civil Action No. 2:24-cv-00479

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff United States Securities and Exchange Commission (the “SEC” or “Commission”), for its Complaint against Defendants Theodore Miller (“Miller”), Bear Industries, LLC (“Bear Industries”), and Bear Investments and Business Consulting, LLC (“Bear Investments”), and Relief Defendant Deanna Drumm (“Drumm”), alleges as follows:

SUMMARY

1. Since at least 2022, Theodore Miller has engaged in the unregistered and fraudulent offer of securities related to two real estate-related investment programs. Presenting himself as a “millionaire” real estate developer living a jet-setting lifestyle, Miller solicited investors through social media and various websites to invest in the real estate programs, which

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